

## **NEWCASTLE UPON TYNE CITY COUNCIL**

### **LATE NIGHT LEVY**

#### **DECISION TO INTRODUCE A LATE NIGHT LEVY IN THE CITY OF NEWCASTLE UPON TYNE**

##### **Police Reform and Social Responsibility Act 2011, Chapter 2 of Part 2 The Late Night Levy (Application and Administration) Regulations 2012 The Late Night Levy (Expenses, Exemptions and Reductions) Regulations 2012**

Newcastle upon Tyne City Council has decided to introduce within the City a requirement that holders of premises licences or club premises certificates that authorise the supply of alcohol at any time between midnight and 6am on one or more days in a year shall pay a late night levy.

The amount of the levy is set by the UK Government and is a yearly amount between £299 and £4,440 depending on the rateable value of the premises and their actual use.

The Council has decided that the levy will be introduced on 1 November 2013.

The Council has decided that the late night supply period will begin at midnight and end at 6 am. Only premises which are authorised to supply alcohol during this time will be subject to the levy.

The Council has decided to exempt the following permitted categories of premises from paying the levy:

- Premises providing overnight accommodation where alcohol can only be supplied to persons staying at the premises for consumption on the premises as defined in regulation 4(a) of the Late Night Levy (Expenses, Exemptions and Reductions) Regulations 2012 (“the Exemption Regulations”);
- Theatres, cinemas and bingo halls as defined in regulations 4(b), 4(c) and 4(d) of the Exemption Regulations;
- Registered Community Amateur Sports Clubs as defined in regulation 4(e) of the Exemption Regulations;
- Certain Community Premises as defined in regulation 4(f) of the Exemption Regulations;
- Certain Country Village Pubs as defined in regulation 4(g) of the Exemption Regulations; and
- Premises only authorised to supply alcohol between midnight and 6am on New Year’s Day as defined in regulation 4(i) of the Exemption Regulations.

The Council proposes not to exempt Premises within a Business Improvement District as defined in regulation 4(h) of the Exemption Regulations.

The Council has decided that a discount of 30% will be granted to:

- Members of a business led best practice scheme as defined in regulations 5(1)(a) and 5(4) of the Exemption Regulations. The Council wishes to develop a Newcastle Best Practice Scheme that satisfies the criteria in the Exemption Regulations.

The Council has decided not to grant a discount for premises subject to small business rates relief as defined in regulation 5(1)(b) of the Exemption Regulations.

The Council has decided that 70% of the net amount of the levy payments will be paid to the Northumbria Police and Crime Commissioner and the Council will apply the balance in accordance with regulations.

The Council has agreed with the Northumbria Police and Crime Commissioner that the net amount of the levy payments will be pooled and spent within the city of Newcastle upon Tyne. The agreement also includes the establishment of a Late Night Levy Board to supervise the use of the levy proceeds and that licensees will be represented on the Board.

Holders of relevant late night authorisations may make an application to vary their authorisation under sections 34, 41A, 84 or 86A of the Licensing Act 2003 to the effect that the authorisation would cease to be a relevant authorisation before the 1 November 2013. No fee is payable. Holders may (for example) wish to reduce their authorised hours or vary the conditions of the licence so that they fall within the terms of an exemption. To ensure that there is time to process such applications, they should be received by the Council before 1 September 2013.

More information about the decision is contained on the Council's website at [www.newcastle.gov.uk/latenightlevy](http://www.newcastle.gov.uk/latenightlevy) or obtainable from the Director of Regulatory Services and Public Protection at the address below.

The Council will be writing to all persons affected by the decision.

16 July 2013

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